



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Garry Bredefeld**, Acting Council President  
**Chris Mathys**,  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquillo**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, OCTOBER 3, 2000**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

## **9:00 A.M. COUNCIL ROLL CALL**

Invocation by Reverend Doug Erickson from the Maroa Home  
Pledge of Allegiance to the Flag

Proclamation of "CIVIL WAR REVISITED WEEKEND"  
Proclamation of "FIRE PREVENTION WEEK"

Proclamation of "GERMAN AMERICAN HERITAGE MONTH" - Councilmember Steitz

Proclamation of "HUNT FAMILY DAY" - Councilmember Mathys

Presentation of Certificates of Commendation to Clovis West Babe Ruth 13-Year Old Prep Pacific Southwest Regional Champions - Acting President Bredefeld

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve City Council minutes of September 26, 2000

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

#### **TIME SCHEDULED HEARINGS AND MATTERS**

**10:00 A.M. HEARING** to consider Plan Amendment No. A-99-32, Rezoning Application No. R-99-48 and Environmental Assessment No. A-99-32, R-99-48, filed by Roger Petersen, for a 5.1-acre parcel located at the northwest corner of N. Cedar and E. Teague Avenues

**Action Taken:**

- a. Consider Environmental Assessment/Mitigated Negative Declaration No. A-99-32, R-99-48, dated February 17, 2000

**Action Taken:**

- b. **RESOLUTION** - Amending the Woodward Park Community Plan

**Action Taken:**

- c. **BILL** - Amending the Official Zone Map to rezone property from the AE-5/UGM zone district to the R-P/UGM/cz zone district

**Action Taken:**

**10:15 A.M. HEARING** to consider Rezoning Application No. R-00-022 and environmental findings, filed by Central California Radiology Medical Group, for approximately 30,375 square feet of real property located at 2407 E. Sussex Way

**Action Taken:**

- a. **BILL** - Amending the Official Zone Map to rezone the subject property from the R-A zone district to the R-P zone district

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

<b>TIME SCHEDULED HEARINGS AND MATTERS CONTINUED</b>
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**10:20 A.M. HEARING** to consider Rezoning Application No. R-00-024 and environmental findings, filed by Paul and Susan Lucich, for approximately 3.52 acres of real property located at 5602 E. Belmont Avenue

**Action Taken:**

- a. **BILL** - Amending the Official Zone Map to rezone the subject property from the R-A and C-6/cz zone districts to the C-6/cz zone district subject to access restrictions

**Action Taken:**

**10:25 A.M. HEARING** to consider Rezoning Application No. R-00-26 and environmental findings, filed by Vineyard Christian Fellowship of Clovis, a California Corporation for approximately 2.63 acres of real property located at 4910 N. Woodrow Avenue

**Action Taken:**

- a. **BILL** - Amending the Official Zone Map to rezone the subject property from the R-3/cz zone district to the R-3/cz zone district with modified conditions

**Action Taken:**

**10:45 A.M. HEARING** on prime contractor's request pursuant to Public Contract Code Section 4017 to substitute subcontractors based on claim of failure to perform subcontract for the Pilibos Soccer Park Project

**Action Taken:**

**11:00 A.M. CONTINUED HEARING** to consider cardroom permit application. Request by David Louis Chandolay for transfer of 100% ownership in Duke's Cardroom, located at 2039 Kern Street

**Action Taken:**

**11:30 A.M. 

<b>CLOSED SESSION</b>
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**A. CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6 (Councilmember Quintero)

**City Negotiator(s):** Jorge Aguiniga and Andrew T. Souza

**Employee Organization(s):**

1. Fresno Police Officers Association Non-Supervisory Police (FPOA)
2. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
3. Amalgamated Transit Union, Local 127 (ATU)
4. International Association of Firefighters, Local 753 Fire Management (IAFF)

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** City of Fresno v. Lombardi and all related cross actions

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

<b>TIME SCHEDULED HEARINGS AND MATTERS CONTINUED</b>
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**11:30 A.M.**

<b>CLOSED SESSION CONTINUED</b>
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**C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -** Government Code Section 54956.9, Subdivision (b)

**Significant Exposure to Litigation:**

**1. Case Name:** City of Fresno v. Patriot Homes, et al.

**Action Taken:**

**2:00 P.M.**

Discussion regarding telecommunications contract - Council President Boyajian

**Action Taken:**

**2:15 P.M.**

Appearance by John Ferdinandi, Jr. to discuss the Fresno Rail Consolidation and present a petition for action

**Action Taken:**

**2:20 P.M.**

Appearance by Paul Garcia to present awards to Councilmember Quintero, Police Officer Ray Camacho and Phillip Rivera

**Action Taken:**

**2:30 P.M.**

Presentation by Fresno Firefighters Association regarding outstanding labor issues - Councilmember Perea

**Action Taken:**

**1.** Council direction regarding negotiations

**Action Taken:**

**3:00 P.M.**

**RESOLUTION -** Expressing the sense of the Council that legislative and first amendment activities of its members be fully and effectively permitted within the proper constraints of the law, and with due regard for the rights of all citizens and other Councilmembers, and expressing disapproval of certain conduct of Councilmember Mathys

**Action Taken:**

**3:15 P.M.**

Appearance by Barbara Hunt regarding neighborhood concerns - Councilmember Mathys

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY THEREAFTER)

1. Approval of two (2) agreements with ERM-West, Inc. to provide professional engineering and related environmental support services for 1) the removal of three (3) underground storage tanks in the fire training area, and 2) for the completion of a site inspection at Old Hammer Field

**Action Taken:**

- a. \* **RESOLUTION** - 43<sup>rd</sup> amendment to AAR No. 2000-183 appropriating \$207,500 of Airport Enterprise Funds for the purpose of funding two (2) agreements with ERM-West, Inc., for staff costs and to reimburse the Airports Capital Fund for preliminary work accomplished (***Requires 5 affirmative votes***)

**Action Taken:**

2. \* **RESOLUTION** - 27<sup>th</sup> amendment to AAR No. 2000-183 re-appropriating \$1,246,100 of Unobligated LLEBG 99 Funds from FY 2000 continue the activities approved under LLEG 99 Program

**Action Taken:**

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Initiate necessary environmental assessment process in order to amend Historic Preservation Ordinance

**Action Taken:**

1. \* **BILL - (For introduction)** - Amending Subsection (h) of Section 13-412 of the Fresno Municipal Code relating to Historic Resources -Councilmember Steitz

**Action Taken:**

- B. \* **RESOLUTION** - 47<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$6,200 of District 5's general fund infrastructure budget to fund various community events (***Requires 5 affirmative votes***) - Councilmember Quintero

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL ITEMS CONTINUED**

- C. \* **RESOLUTION** - 48<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$8,400 of District 4's general fund infrastructure budget to fund Exhibit Hall expenses for the Oktoberfest Celebration (*Requires 5 affirmative votes*) - Councilmember Steitz  
**Action Taken:**
- D. Appearance by the Council Executive Assistant to discuss the status of retaining a financial consultant/auditor. The report will include the following: - Council President Boyajian
1. Scope of work
  2. The design of the Request for Qualifications (RFQ)
  3. Identification of sources of funds to pay for analysis
- Action Taken:**
- E. Direct City Attorney to prepare legal opinion regarding City's ability to limit campaign contributions to primarily formed Candidate/Office Holder Committees - Acting President Bredefeld  
**Action Taken:**
- F. \* **RESOLUTION** - 49<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$1,000 of District 3's general fund infrastructure budget to fund the Fulton Mall art restoration (*Requires 5 affirmative votes*) - Councilmember Ronquillo  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

- A. **RESOLUTION** - Applying to the Local Agency Formation Commission (LAFCO) in the matter of the proposed Shepherd-Chestnut No. 3 Reorganization  
**Action Taken:**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

## SCHEDULED COUNCIL HEARINGS AND MATTERS

- Oct. 10 - 9:00 A.M. SPECIAL MEETING** re: D&DA betw. the RDA and City of Fresno for the development of the publicly-owned multipurpose stadium
- Oct. 17 - 10:00 A.M.** Council position on Westlands Water District and east side farmers water issue - Councilmember Perea
- Oct. 17 - 10:35 A.M. CONTINUED HEARING** re: Rezoning Appl. No. R-00-011, filed by Richard C. Ginder, Jr./W.G. Enterprises, for approximately one (1) acre of real property, located at 6875 N. Milburn Avenue
- Oct. 17 - 10:30 A.M. TEFRA HEARING** re: St. Agnes Revenue Bonds
- Oct. 17 - 10:35 A.M. TEFRA HEARING** re: Stonepine and Heron Place Multi-family Projects
- Oct. 24 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the Fall Quarter (*Reception immediately following - 2<sup>nd</sup> floor foyer*)
- Oct. 24 - 10:00 A.M.#1 HEARING** P.A. No. A-00-06, change bike path to bike lanes on Butler/Willow Specific Plan Area
- Oct. 24 - 10:00 A.M.#2** P.A. No. A-00-11, designate S. Winery Avenue as a through street between E. Lane Avenue and E. Kings Canyon Road
- Oct. 24 - 5:00 P.M.** P.A. No. A-00-03, Rezone Appl. No. R-00-04, filed by Beal Properties, Inc.
- Oct. 31 - 9:30 A.M.** Presentation by City of Fresno Historic Preservation Commission State of Historic Preservation Report
- Oct. 31 - 10:00 A.M.** Presentation of Employee Service Awards (*Reception immediately following - 2<sup>nd</sup> floor foyer*)
- Nov. 7 - NO MEETING**
- Nov. 14 - 5:00 P.M. CONTINUED HEARING** to consider Plan Amendment Application No. A-00-07, Rezoning Application No. R-00-13, and environmental findings, filed by Halferty Development
- Nov. 27 - 30** General Plan Hearings
- Dec. 4 - 8** General Plan Hearings (*if needed*)

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***